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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,822	09/23/2003	Charles A. Huntington	00-2-027DIV1	1977

24252 7590 06/29/2005

OSRAM SYLVANIA INC
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DANVERS, MA 01923

EXAMINER

PERRY, ANTHONY T

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/668,822

Applicant(s)

HUNTINGTON ET AL.

Examiner

Anthony T. Perry

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/15/03 & 1/28/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-6, 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Furuta et al. (EP 1,094,497).

Regarding claims 1, Furuta discloses a method for making an electrode coil for a HID lamp comprising the steps of: closely wrapping a first wire around a mandrel in a first direction to form a first coil with a helical groove on an exterior surface; closely wrapping a second wire in the first direction in the helical groove to form a second coil, where a first turn of the second wire touches a first turn of the first wire and a last turn of the second wire touches a last turn of the first wire; and replacing the mandrel with a tungsten core is adjacent to but spaced from a corresponding end of the first coil (see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 2, the second wire is the same length as the helical groove and entirely within the helical groove (see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 4, the two wires are made of tungsten and have the same diameter (see for example page 4, lines 1-14 and Figs. 4-5).

Regarding claim 5, Furata teaches a method of making an electrode coil for a HID lamp, comprising the steps of: wrapping a first wire around a mandrel with each turn of the first wire after a first turn touching a previously lain turn of the first wire, the first wire being wrapped in a first direction to form a first coil with a helical groove on an exterior surface; wrapping a second wire in the first direction directly on the first wire in the helical groove to form a second coil, a first turn of the second wire touching the first turn of the first wire and a last turn of the second wire touching a last turn of the first wire; dissolving the mandrel; and inserting a tungsten core into the first coil so that a free end of the tungsten core is adjacent to but spaced from a corresponding end of the first coil, an exterior of the core touching an interior of the first coil, the tungsten core and the first and second coils being an electrode coil for a HID lamp (see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 6, the second wire is the same length as the helical groove and entirely within the helical groove (see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 8, the method includes affixing the first wire to the tungsten core and the affixing the second wire to the first wire see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 9, each turn of the second wire touches a previously lain turn of the second wire (see for example page 4, lines 15-49 and Figs. 4-5).

Regarding claim 10, the two wires are made of tungsten and have the same diameter (see for example page 4, lines 1-14 and Figs. 4-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furuta et al. (EP 1,094,497).

Regarding claims 3 and 7, Furuta teaches heat treating the two coils and cutting the coils to the a desired length after wrapping the coils and before dissolving/replacing the mandrel (see for example page 4, lines 1-14 and Figs. 4-5). See rejection of claims 1 and 5, above for other limitations. Furuta does not specifically tech a second heat treating of the coils after they have been cut. However, It is noted that the applicant's specific step of heat treating a second time, does not solve any of the stated problems or yield any unexpected result that is not within the scope of the teachings applied. Furthermore, it has been held that mere duplication of the essential steps of a method of manufacturing involves only routine skill in the art. It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply another heating step after cutting the coils, since mere duplication of essential method steps of the invention is considered within the skill of the art.

Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Anthony Perry* whose telephone number is (571) 272-2459. The

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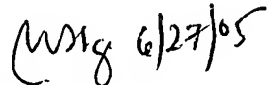
examiner can normally be reached between the hours of 9:00AM to 5:30PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimesh Patel, can be reached on (571) 272-24597. **The fax phone number for this Group is (703) 872-9306.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony Perry
Patent Examiner
Art Unit 2879
May 16, 2005



Mariceli Santiago
Primary Examiner
Art Unit 2879